

USDS-SDNY (RSTT 15)
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: MAY 15 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAUNDRY, DRY CLEANING WORKERS AND
ALLIED INDUSTRIES HEALTH FUND, UNITE HERE! and
LAUNDRY, DRY CLEANING WORKERS AND
ALLIED INDUSTRIES RETIREMENT FUND, UNITE HERE!,
Petitioners,

-v.-

MULTI-PAK CORPORATION,
Respondent.

DEFAULT JUDGMENT
08 Civ. 0031 (PAC)

The Laundry, Dry Cleaning Workers and Allied Industries Health Fund, UNITE HERE! and the Laundry, Dry Cleaning Workers and Allied Industries Retirement Fund, UNITE HERE! (hereinafter, the "Petitioners") having commenced the within proceeding on January 3, 2008 by filing a Petition to Confirm the Arbitration Award of Philip Ross, dated September 28, 2007 (hereinafter, the "Petition"), and Multi-Pak Corporation (hereinafter, the "Respondent") having been duly served on February 7, 2008 with a copy of the Petition and copies of papers in support of the Petition by certified mail, return receipt requested, and proof of such service having been filed with the Court on February 11, 2008, and Respondent having failed to appear, answer or otherwise move with respect to the Petition, and in light of the fact that the Court is being asked to confirm a default Arbitration Award, and in accordance with the Second Circuit opinion in D.H. Blair & Co., Inc. - v. - Gottdiener, 462 F.3d 95 (2d Cir. 2006), this Court has examined the record upon which the underlying arbitration award was based, and finds that the record supplied to the Arbitrator is a sufficient basis for the award; it is

NOW, THEREFORE, upon application of the Petitioners and upon reading the annexed Affidavit of David C. Sapp, Esq. duly sworn the 6th day of May 2008 and the Certificate of J. Michael McMahon, Clerk of Court, United States District Court for the Southern District of New York, noting the default of the above-named Respondent for failure to appear, answer or otherwise move with respect to the Petition, it is hereby,

ORDERED, ADJUDGED AND DECREED, that the Arbitration Award of Philip Ross, dated September 28, 2007, is hereby confirmed in all respects; and it is further,

ORDERED, ADJUDGED AND DECREED, that Petitioners have Judgment against Respondent on the Award in the principal amount of \$4,700.34 together with interest from the date of the Award to the date hereof in the amount of \$406.83, and costs in the amount of \$350.00, for a total Judgment of \$5,457.17.

Dated: May 15, 2008
New York, New York



Paul A. Crotty
United States District Court Judge

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**